

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DERRICK HILL,
Plaintiff,
v.

CALIFORNIA DEPARTMENT OF
CORRECTION,
Defendant.

Case No. [24-cv-03343-VKD](#)

ORDER OF TRANSFER

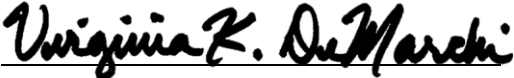
Derrick Hill, a state prisoner currently housed at High Desert State Prison in Susanville, California, filed a complaint in which he alleges he suffered inadequate medical treatment and excessive force while at Sacramento State Prison, where he was previously incarcerated. Dkt. No. 1. The Clerk of the Court has sent Mr. Hill a notice of the need to file a correct *in forma pauperis* application. Dkt. No. 3.

Sacramento State Prison is in Folsom, California, which is in Sacramento County. Because the acts complained of appear to have occurred in Sacramento County, which lies within the Eastern District of California, *see* 28 U.S.C. § 84(b), venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). This Court has discretion to either dismiss the case for incorrect venue or transfer it to the proper federal court “in the interest of justice.” *See* 28 U.S.C. § 1406(a). The Court concludes that the interests of justice are best served by the immediate transfer of this action to the United States District Court for the Eastern District of California.

Accordingly, the Court orders that this action shall be transferred. The Clerk of the Court shall transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

Dated: June 5, 2024


VIRGINIA K. DEMARCHI
United States Magistrate Judge

United States District Court
Northern District of California